

# HOUSE BILL 978

F5, L2

0lr1894  
CF 0lr1792

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By: **Harford County Delegation**

Introduced and read first time: February 12, 2010

Assigned to: Ways and Means

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## A BILL ENTITLED

1 AN ACT concerning

2 **Harford County Board of Education – Student Member – Voting Rights**

3 FOR the purpose of providing that the student member of the Harford County Board  
4 of Education has certain voting rights; prohibiting the student member from  
5 voting on certain matters; altering certain procedures for the election of the  
6 student member; requiring the Harford County Regional Association of Student  
7 Councils to conduct a certain nominating convention; altering the qualifications  
8 of the student member; providing for the reimbursement of certain expenses of  
9 the student member under certain circumstances; and generally relating to the  
10 voting rights of the student member of the Harford County Board of Education.

11 BY repealing and reenacting, with amendments,  
12 Article – Education  
13 Section 3–6A–01 and 3–6A–04  
14 Annotated Code of Maryland  
15 (2008 Replacement Volume and 2009 Supplement)

16 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
17 MARYLAND, That the Laws of Maryland read as follows:

18 **Article – Education**

19 3–6A–01.

20 (a) (1) In this subtitle, “elected member” means a voting member elected  
21 under subsection (d) or (e) of this section or a member appointed to an elected position  
22 on the Harford County Board of Education under subsection (e)(2) of this section.

23 (2) “Elected member” does not include a:

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (i) County superintendent of schools serving as an ex officio  
2 member of the county board; or

3 (ii) [Nonvoting student] **STUDENT** member selected under  
4 subsection [(f)] **(G)** of this section.

5 (b) The county board consists of:

6 (1) Six elected members;

7 (2) Three appointed members;

8 (3) The county superintendent of schools, who is an ex officio  
9 nonvoting member; and

10 (4) One [nonvoting] student member.

11 (c) (1) (i) A member from a councilmanic district shall be a resident of  
12 that district.

13 (ii) A member from a councilmanic district who no longer  
14 resides in that district may not continue as a member of the county board.

15 (2) A member of the county board shall be a registered voter of the  
16 county for at least 3 years prior to the date of the beginning of the term of office of the  
17 member.

18 (d) (1) Of the [nine] **10** voting members of the county board:

19 (i) One member shall be elected from each of the six  
20 councilmanic districts only by the voters of that councilmanic district; [and]

21 (ii) Three members shall be appointed by the Governor; **AND**

22 **(III) THE STUDENT MEMBER SHALL BE SELECTED IN**  
23 **ACCORDANCE WITH SUBSECTION (G) OF THIS SECTION.**

24 (2) The elected members shall be elected at a general election as  
25 required by subsection (e) of this section.

26 (3) The appointed members shall be appointed, when appropriate,  
27 within 90 days of the general election.

28 (e) (1) Except for the nonvoting [members] **MEMBER AND THE STUDENT**  
29 **MEMBER**, a member serves for a term of 4 years beginning July 1 after the election or  
30 appointment of the member and until a successor is elected or appointed and qualifies.



1                   **(VII) MAINTAIN COMPLIANCE WITH ACADEMIC ELIGIBILITY**  
2 **REQUIREMENTS FOR PARTICIPATION IN EXTRACURRICULAR ACTIVITY**  
3 **STANDARDS.**

4                   (3) Unless invited to attend by an affirmative vote of a majority of the  
5 county board, the student member may not attend an executive session, **ANY OTHER**  
6 **CLOSED SESSION, OR AN ADMINISTRATIVE SESSION** of the county board.

7                   **(4) THE STUDENT MEMBER SHALL VOTE ON ALL MATTERS**  
8 **EXCEPT THOSE RELATING TO:**

9                   **(I) BUDGETARY MATTERS UNDER TITLE 5 OF THIS**  
10 **ARTICLE;**

11                   **(II) ACQUISITION OF REAL PROPERTY UNDER § 4-115 OF**  
12 **THIS ARTICLE AND CONDEMNATION OF REAL PROPERTY UNDER § 4-119 OF THIS**  
13 **ARTICLE;**

14                   **(III) GEOGRAPHICAL ATTENDANCE AREAS UNDER § 4-109**  
15 **OF THIS ARTICLE;**

16                   **(IV) SCHOOL CLOSINGS AND REOPENINGS;**

17                   **(V) APPOINTMENT AND PROMOTION OF STAFF UNDER §**  
18 **6-202 OF THIS ARTICLE;**

19                   **(VI) APPOINTMENT AND SALARY OF THE COUNTY**  
20 **SUPERINTENDENT UNDER §§ 4-201 AND 4-202 OF THIS ARTICLE;**

21                   **(VII) DISCIPLINE OF CERTIFICATED STAFF UNDER § 6-202**  
22 **OF THIS ARTICLE;**

23                   **(VIII) COLLECTIVE BARGAINING FOR CERTIFICATED**  
24 **EMPLOYEES UNDER TITLE 6, SUBTITLE 4 OF THIS ARTICLE;**

25                   **(IX) COLLECTIVE BARGAINING FOR NONCERTIFICATED**  
26 **EMPLOYEES UNDER TITLE 6, SUBTITLE 5 OF THIS ARTICLE; AND**

27                   **(X) APPEALS UNDER § 4-205(C) OF THIS ARTICLE.**

28                   **(5) THE STUDENT MEMBER MAY NOT PARTICIPATE IN ANY**  
29 **PROCEEDING OF THE COUNTY BOARD THAT IS QUASI-ADJUDICATORY OR ANY**  
30 **ACTION OF THE COUNTY BOARD WHEN IT IS FUNCTIONING AS AN APPEAL BODY,**

1 INCLUDING AN APPEAL UNDER §§ 4-205(C), 6-202, AND 7-305 OF THIS  
2 ARTICLE.

3 3-6A-04.

4 (a) [Each] **EXCEPT AS PROVIDED IN SUBSECTION (D) OF THIS SECTION,**  
5 **EACH** member of the Harford County Board is entitled to receive \$3,600 annually for  
6 travel and other expenses related to the performance of duties as a member of the  
7 board.

8 (b) Payments to a member for the expenses described in subsection (a) of this  
9 section shall be paid in 12 equal monthly installments.

10 (c) Subject to the approval of the board, a member may be reimbursed for  
11 additional travel and other expenses.

12 **(D) SUBJECT TO THE APPROVAL OF THE SUPERINTENDENT, THE**  
13 **STUDENT MEMBER OF THE BOARD MAY BE REIMBURSED FOR REASONABLE**  
14 **TRAVEL AND OTHER EXPENSES RELATED TO THE PERFORMANCE OF DUTIES AS**  
15 **A STUDENT MEMBER OF THE BOARD.**

16 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
17 October 1, 2010.